

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

**William R. Campbell, et al.**

Appl. No.: 09/483,084

Filed: January 14, 2000

For: **FORMULATIONS AND  
METHODS FOR  
ADMINISTRATION OF  
PHARMACOLOGICALY OR  
BIOLOGICALLY ACTIVE  
COMPOUNDS**

Art Unit: 1614

Examiner: Beverly M. Flanagan

Atty. Docket: 00981.0007.00US00

**Request for Reconsideration of Petition  
Under 37 C.F.R. § 1.182 and/or Under 37 C.F.R. §1.47 (a)**

Commissioner for Patents and Trademarks  
BOX DAC  
Washington, D.C. 20231

Sir:

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This Request for Reconsideration of Petition is filed in response to the "Decision According a Filing Date and Refusing Status Under 37 CFR 1.47(a)" mailed March 19, 2001. This reply addresses only the deficiencies noted by the PTO.

Petitioners are providing the following documents:

1. A copy of the Assignment from joint inventor William R. Campbell to Blue Ridge Pharmaceuticals, Inc. (Exhibit 1); and
2. A Combined Declaration, Revocation of Previous Powers and Power of Attorney for Specification Filed January 14, 2001, and Page 4 of Specification Filed May 24, 2000 in Accordance With Decision Dismissing Petition and Refusing Status 37 CFR 1.47(a) mailed November 22, 2000 (Exhibit 2).

In light of these documents now made of record, Applicants submit the petition is in condition for allowance and respectfully requests favorable action on it.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee or fee deficiency connected with this Request for Reconsideration of Petition to our Deposit Account No. 08-3038, referencing our attorney Docket No. 00981.0007.00US00. A duplicate copy of this response is enclosed.

Respectfully submitted,

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Date: June 6, 2001



Mary S. Consalvi  
Reg. No. 32,212

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**Howrey Simon Arnold & White, LLP**  
301 Ravenswood Avenue, Box 34  
Menlo Park, CA 94025  
Telephone: (858) 622-5100  
Facsimile: (858) 622-5199

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00981-0007-US00ASSIGNMENT OF PATENT APPLICATION

WHEREAS, WE, **WILLIAM R. CAMPBELL**, a citizen of the UNITED STATES, and **BARRY A. OMILINSKY**, a citizen of the UNITED STATES, (hereinafter referred to as "ASSIGNORS"), have invented and own a certain invention entitled **FORMULATIONS AND METHODS FOR ADMINISTRATION OF PHARMACOLOGICALLY OR BIOLOGICALLY ACTIVE COMPOUNDS**, for which application for Letters Patent of the United States of America was filed on January 14, 2000; and

WHEREAS, **BLUE RIDGE PHARMACEUTICALS, INC.**, a corporation organized and existing under and by virtue of the laws of the State of Delaware and having its principal place of business at **4249-105 Piedmont Parkway, Greensboro, NC 27410** (hereinafter referred to as "ASSIGNEE"), is desirous of acquiring the exclusive right, title and interest in, to and under said invention and in, to and under any Patent or similar legal protection to be obtained therefor in the United States of America, its territorial possessions and in any and all countries foreign thereto.

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNORS hereby sell, assign, transfer and set over unto the said ASSIGNEE, its successors and assigns, the full and exclusive right, title and interest to said invention and to all Letters Patent or application or similar legal protection, not only in the United States and its territorial possessions, but in all countries foreign thereto to be obtained for said invention by said application, and to any continuation, division, renewal, substitute or reissue thereof or any legal equivalent thereof in the United States or a foreign country for the full term or terms for which the same may be granted, including all priority rights under the International Convention; and ASSIGNORS hereby authorize and request the Commissioner of Patents and Trademarks to issue

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said Letters Patent or any legal equivalent thereof to said ASSIGNEE, its successors and assigns, in accordance with this Assignment.

ASSIGNORS hereby covenant that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this Agreement;

ASSIGNORS further covenant that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said application, said invention and said Letters Patent and legal equivalents as may be known and accessible to ASSIGNORS and will testify as to the same in any interference or litigation related thereto and will promptly execute and deliver to ASSIGNEE or its legal representative any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue and enforce said application, said invention and said Letters Patent and said equivalents in the United States or in any foreign country, which may be necessary or desirable to carry out the purposes thereof.

WITNESS my hand at Blue Ridge Pharmaceuticals, Greensboro,  
NC, this 15 day of MARCH, 2000,  
1999.

William R. Campbell RECEIVED  
WILLIAM R. CAMPBELL JUN 18 2001

STATE OF North Carolina)  
) ss  
COUNTY OF Forsyth)

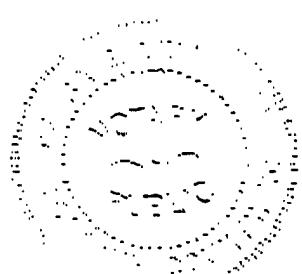
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On 3-15-00 before me, William R. Campbell, personally appeared  
WILLIAM R. CAMPBELL

personally known to me - OR -  proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Debra E. Lewellen  
Notary Public in and for said County and State



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WITNESS my hand at \_\_\_\_\_,  
\_\_\_\_\_, this \_\_\_\_ day of \_\_\_\_\_, 2000  
1999.

**BARRY A. OMILINSKY**

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ ) ss  
                  )

On \_\_\_\_\_ before me, \_\_\_\_\_, personally appeared  
**BARRY A. OMILINSKY**

personally known to me - OR -  proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

\_\_\_\_\_  
Notary Public in and for said County and State

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